

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

In re: DMCA Subpoena to Shopify, Inc. :  
: :  
: Case No. 19-mc-14 :  
: :  
: :  
: **DECLARATION OF** :  
: **ADAM C. SHERMAN** :  
: :  
: :

I, Adam C. Sherman, Esq., declare, under penalty of perjury, as follows:

1. I am over the age of 18 and am competent to testify to the matters contained here. I have personal knowledge of the matters contained in this Declaration.

2. I am an attorney with the law firm of Vorys, Sater, Seymour and Pease LLP. I represent Freebird Stores, Inc. (“Freebird”), who owns the copyrights to the images it created to market Freebird products.

3. Freebird discovered a number of Shopify hosted websites that are using Freebird's copyrighted images without consent.

4. These Shopify sites are hosted by Shopify, Inc. (“Shopify”).

5. Freebird seeks to subpoena Shopify for documents containing identifying information relating to the identity of the persons or entities that operate the various Shopify websites.

6. The objective of subpoenaing Shopify is to obtain the identity of the alleged infringers, and such information that Freebird obtains from Shopify will only be used for the purpose of protecting Freebird's rights under 17 U.S.C. § 101, *et seq.*

7. Attached as Exhibit 1 to this Declaration are true and correct copies of the notifications sent to Shopify, pursuant to 17 U.S.C. § 512(C)(3)(A).

DATED: September 11, 2019

/s/ Adam C. Sherman  
Adam C. Sherman